

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the curative and therapeutic effect of the said article: (Bottle label, Spanish and English) "In obstinate cases": (circular, translated) "Dr. Sanger capsules \* \* \* for Gonorrhea, Gleet, Irritation of the Bladder, Retention of the Urine, Leucorrhea or Whites \* \* \* composed of ingredients that have proven to be efficacious in treating these diseases \* \* \* an efficacious dose \* \* \* As a general rule the disease begins to yield in a short time, but in some cases it is necessary to prolong the treatment \* \* \* especially when the patient through negligence has permitted the disease to become chronic or to penetrate farther into the organism \* \* \* Continue using Sanger's capsules several days after the discharges have ceased to flow in order to prevent their return. \* \* \* In rebellious cases \* \* \* there should be complete abstinence from alcoholic beverages while using the capsules otherwise the cure will be delayed," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 7, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13553. Adulteration of canned salmon. U. S. v. 75 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17892. I. S. No. 12510-v. S. No. E-4564.)**

On November 6, 1923, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 75 cases, each containing 4 dozen cans, of salmon, remaining in the original unbroken packages at Charles Town, W. Va., alleging that the article had been shipped by McGovern & McGovern, Seattle, Wash., on or about October 8, 1923, and transported from the State of Washington into the State of West Virginia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Rose Brand \* \* \* Chum Distributed By Carlisle Packing Co. Seattle, Wash., U. S. A."; (case) "Rose Brand Salmon."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On October 14, 1924, the Carlisle Packing Co., Seattle, Wash., claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the unadulterated portion be separated from the adulterated portion, and the former released and the latter destroyed.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13554. Adulteration and misbranding of Concord grape soda water flavor. U. S. v. 3 Containers of Concord Grape Soda Water Flavor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18821. I. S. No. 18907-v. S. No. C-4432.)**

On July 10, 1924, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 containers, each containing 1 gallon of Concord grape soda water flavor, remaining unsold at South Bend, Ind., alleging that the article had been shipped by the Sethness Co., Chicago, Ill., June 7, 1924, and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed And Packed By Sethness Company Chicago, Soluble Grape Soda Water Flavor Contains added flavoring products identified in grapes, artificially colored."

Adulteration of the article was alleged in the libel for the reason that an artificially colored and flavored solution had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength and had been substituted in whole or in part for the said article. Adulteration

was alleged for the further reason that the article had been colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the designation "Concord Grape Soda Water Flavor" was false and misleading and deceived and misled the purchaser and for the further reason that it was an imitation of and was offered for sale under the distinctive name of Concord grape soda water flavor, whereas it was not but was an artificially colored and flavored solution containing little or no grape juice.

On October 9, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13555. Adulteration of blue cohosh. U. S. v. 205 Pounds of Blue Cohosh. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20113. I. S. No. 24326-v. S. No. E-5327.)**

On June 13, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 205 pounds of blue cohosh, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by McIlvaine Bros., Inc., from Philadelphia, Pa., about May 20, 1925, and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Blue Cohosh \* \* \* From McIlvaine Bros. Inc. Philadelphia, Pa."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it yielded 12.3 per cent of ash. The National Formulary stipulates that blue cohosh yield not more than 6 per cent of ash.

Adulteration of the article was alleged in the libel for the reason that it was sold under a name recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the test laid down in the said formulary, official at the time of investigation.

On July 20, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13556. Adulteration of canned salmon. U. S. v. 230 Cases, et al., of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18241, 18276, 18277. I. S. Nos. 6482-v, 18715-v, 18716-v, 18717-v, 18718-v. S. Nos. C-4247, C-4271, C-4272.)**

On Dec. 29, 1923, and January 30 and 31, 1924, respectively, the United States attorney for the Eastern District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 840 cases of canned salmon, in various lots at Conway, Kensett, and Batesville, Ark., respectively, alleging that the article had been shipped by Gorman & Co., from Seattle, Wash., in various lots, namely, on or about September 24, January (September) 28, and November 20, 1923, respectively, and transported from the State of Washington into the State of Arkansas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Gorman's Pink" (or "Chum") "Salmon Distributed By Gorman And Company Seattle."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in a material proportion of the cans of a filthy, decomposed, and putrid animal substance.

On April 22, 1925, Mode & Clayton, Conway, Ark., Yeatman-Gray-Adams Gro. Co., Batesville, Ark., and Ramey-Milburn Co., Kensett, Ark., claimants for respective portions of the product, having admitted the allegations of the libels and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that upon the claimants filing bonds in the aggregate sum of \$750, conditioned that the product be assorted under the supervision of this department in order to separate the good from the bad salmon, and upon the destruction of the adulterated portion and payment of the costs of the proceedings, the portion found to be fit for human consumption be released.

R. W. DUNLAP, *Acting Secretary of Agriculture.*